

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
THURSDAY, JANUARY 7, 1999
COUNTY-CITY BUILDING - ROOM 113
10:00 A.M.**

Commissioners Present: Linda Steinman, Chair
Kathy Campbell
Bernie Heier
Larry Hudkins
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Diane Staab, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, JANUARY 5, 1999 (A.M. SESSION)

The minutes were not available.

2 ADDITIONS TO THE AGENDA

- a. Aerial Photographs of Lancaster County
- b. Nebraska Crime Commission Grants
- c. Southeast Service Area Planning for Human Services

MOTION: Heier moved and Hudkins seconded approval of the additions to the agenda. On call Heier, Hudkins, Workman, Campbell and Steinman voted aye. Motion carried.

3 COMPREHENSIVE PLAN CONFORMITY NO. 98007, ACQUISITION OF A PERMANENT CONSERVATION EASEMENT OVER 26 ACRES LOCATED NEAR HIGHWAY 77 & HICKMAN ROAD - Mike DeKalb and Nicole-Fleck Tooze, Planning Department; Norm Agena, County Assessor; Robin Hendricksen, Chief Deputy County Assessor

Mike DeKalb, Planning Department, explained that the Nebraska Revised Statutes allow conservation easements, provided the local governmental authority is satisfied there is conformity with the Comprehensive Plan. He reported that the Lower Platte South Natural Resources District (NRD) is seeking to acquire permanent conservation easements over three privately-owned parcels near the intersection of Highway 77 and Hickman Road.

Nicole Fleck-Tooze, Planning Department, indicated the area of application on maps included in the Commissioners' Information Packet. She noted there is significant value in obtaining the conservation easements, as the site includes rare native tall grass prairie remnants, woodlands and natural drainage ways.

Fleck-Tooze distributed copies of a map of Historic Trails of Lancaster County (Exhibit A), noting that the conservation easements would also protect historic wagon ruts in the area of application.

Hudkins asked what effect conservation easements will have on the taxable value of the property.

Norm Agena, County Assessor, indicated that a County Attorney's opinion is needed for clarification of the taxation issue.

Robin Hendricksen, Deputy County Assessor, noted that permitted uses of the property under the easements will be a determining factor in setting the taxable value.

DeKalb noted there can be financial advantages for landowners agreeing to conservation easements, such as federal tax exemption of income and inheritance taxes, as well as local property taxes.

Kerry Eagan, Chief Administrative Officer, inquired how the proposed easements will integrate with the County's goals for preserving floodplains and southern expansion of Wilderness Park.

Fleck-Tooze stated that the parcels contain tributaries to the Olive Branch of Salt Creek, so those floodplains would also be preserved by the conservation easements.

DeKalb noted that the Implementation Section of the Comprehensive Plan includes language permitting the use of a variety of techniques and mechanisms, such as conservation easements and land acquisitions.

Workman inquired whether conservation easements would prevent future road construction.

Eagan noted that, unless the particular issue is addressed in the Nebraska Revised Statutes, a conflict involving eminent domain authorities would need to be decided by the courts.

The Board requested the following:

- * An inventory of other conservation easements within Lancaster County
- * Information as to whether the three privately-owned parcels were donated or financial consideration was received
- * A County Attorney's opinion on taxable value impact
- * A briefing by a representative of the Lower Platte South Natural Resources District (NRD) on use of conservation easements

4 USE OF ETHANOL FOR COUNTY MOTOR VEHICLES - Todd Sneller, Administrator of Nebraska Ethanol Board

Todd Sneller, Administrator of Nebraska Ethanol Board, gave a brief presentation of the use of ethanol flexible fuel vehicles, which are currently available from General Motors and the Ford Motor Company. He indicated that use of flexible fuel vehicles supports agricultural products produced within the State and improves air quality.

Sneller reported that the Energy Policy Act of 1992 requires integration of alternative fuel vehicles, based on fleet or metropolitan size. He noted that the State of Nebraska, Douglas County and the City of Omaha have begun the process of integrating ethanol flexible fuel vehicles into their fleets.

In response to a question from Workman, Sneller noted there are several fueling sites located within the Lincoln area, based upon government vehicle traffic patterns. He suggested the County consider a centralized fueling depot for its fleet or utilize State fueling sites through an intergovernmental agreement.

In response to a question from Steinman, Sneller noted that flexible fuel vehicles are currently available under the State bid (Exhibit A). He noted the cost of flexible fuel vehicles is comparable to gasoline vehicles, although the cost of ethanol fuel is slightly higher.

Heier inquired whether diesel trucks could be converted to use soybean diesel.

Sneller indicated that soybean fuel will be more readily available in the future, due to construction of a plant in Hastings. He indicated soybean fuel can be used in diesel engines, noting that mass transit vehicles would be a suitable application. Sneller cautioned that conversion of engines to alternative fuels could void warranties.

Hudkins asked whether the City Purchasing Agent had been apprised of the availability of these type of vehicles under the State bid.

Sneller indicated no, as Energy Policy Act compliance is not mandatory for the City of Lincoln and Lancaster County at this time.

The Board of requested that Sneller provide a similar presentation at a Commons meeting, with the City Purchasing Agent in attendance.

2 ADDITIONS TO THE AGENDA

a. Aerial Photographs of Lancaster County

Robin Hendricksen, Chief Deputy Assessor, appeared to report that the Natural Resources Commission will be conducting an aerial digital photography flight over Nebraska in March of 1999.

Hendricksen indicated the Natural Resources Commission is prepared to prioritize photographs of Lancaster County, for a \$10,000 contribution to the project. The Lower Platte South Natural Resources District (NRD) is willing to equally share in this cost.

Eagan noted these photographs are an integral part of the Geographic Information System (GIS) and the last photographs were taken in 1993, when Lancaster County served as a pilot for the project, at no cost to the County.

MOTION: Hudkins moved and Campbell seconded to authorize the County Assessor's office to enter into an agreement with the Natural Resources Commission and to approve a \$5,000 contribution to the project from the County Assessor's budget, with review of the budget at the end of the fiscal year. On call Hudkins, Campbell, Heier, Workman and Steinman voted aye. Motion carried.

5 CHIEF DEPUTY ELECTED OFFICIALS SALARIES

The Board reviewed recommendations from the elected officials for Chief Deputy Elected Officials' salaries (Commissioners' Information Packet).

Hudkins noted concern that the proposed salary of \$85,500 for the Chief Deputy County Attorney and Chief Deputy Public Defender is greater than that received by the Public Defender.

Eagan stated that the Nebraska Revised Statutes dictate that the salaries of the Chief Deputy County Attorney and Chief Deputy Public Defender be set at an equal amount. If the salary of the Chief Deputy County Attorney is set at 95% of the County Attorney's salary, as recommended by the County Attorney, both will receive a salary that is slightly greater than that of the Public Defender. He also noted it has been the standard practice of the Board to set salaries for the Chief Deputy Elected Officials based on those recommendations.

Gary Lacey, County Attorney, appeared and stated that his recommendation of salary for his Chief Deputy was based on job responsibilities and the number of employees supervised. He stated he did not see a problem with a Chief Deputy receiving a salary in excess of the elected official they serve, if that salary is commensurate with the responsibilities of that position.

Terry Wagner, County Sheriff, appeared and noted concern that subordinate employees' salaries encroach upon the salaries of the elected officials and their Chief Deputies during interim years.

NOTE: The Board will take formal action on this item at the Tuesday, January 12th County Board of Commissioners meeting.

2 ADDITIONS TO THE AGENDA

- b. Nebraska Crime Commission Grants

Eagan distributed copies of a memo from Kit Boesch, Human Services Director, detailing recommendations from the Justice Council with regards to submission of grants to the Nebraska Crime Commission (Exhibit C).

MOTION: Campbell moved and Heier seconded to forward the applications for grants to the Nebraska Crime Commission and to authorize the Chair or Vice-Chair to sign the grant application forms. On call Campbell, Heier, Workman, Hudkins and Steinman voted aye. Motion carried.

6 ACTION ITEMS

- a. Request from Kit Boesch, Human Services Director, to attend a conference on Juvenile Justice and Child Welfare Systems - Tuesday, January 12 through Friday, January 15, 1999 in Houston, Texas

This item was previously approved.

- b. Recommendation from the Visitors Promotion Advisory Committee to Award Contingency Fund Request of \$7,500 to Nebraska State Games

MOTION: Hudkins moved and Campbell seconded approval of the \$7,500 expenditure from the Contingency Fund for the Nebraska State Games. On call Hudkins, Campbell, Heier, Workman and Steinman voted aye. Motion carried.

- c. Microcomputer Request from County Assessor, C#99001, for two (2) computers from the Microcomputer Fund, in the amount of \$1,148.40 (Exhibit D)

MOTION: Hudkins moved and Campbell seconded approval. On call Hudkins, Heier, Campbell, Workman and Steinman voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- c. Southeast Service Area Planning for Human Services

Steinman reported a letter received from Cathy Anderson, Southeast Service Area Planning for Human Services Administrator, requesting the County Board to indicate a preference for dates for the Southeast Service Area Network Development Team to meet.

MOTION: Hudkins moved and Campbell seconded to authorize the Chair or Vice-Chair to send a letter of response, noting that the County Board does not wish to act on setting new meeting times for the Southeast Service Area Network Development Team until there is an indication on whether the new Governor plans to proceed with the Network Management Entities, with a carbon copy to Lieutenant Governor Maurstad, and requesting a tally of the votes of the Southeast Service Area Network Development Team which authorized the submission of Articles of Incorporation and application for a developmental grant. On call Heier, Hudkins, Campbell, Workman and Steinman voted aye. Motion carried.

7 ADMINISTRATIVE OFFICER REPORT

- a. Seminar on Open Meetings and Accountability & Disclosure Requirements
- Monday, January 25, 1999

Eagan reported that the Nebraska County Attorney's Association will be covering the subject of Open Meetings Law during a training seminar scheduled for January 25, 1999 (Commissioners Information Packet). Members of the County Board are invited to attend.

Campbell noted that a representative of the County Attorney's office will also be receiving Open Meeting Law requirements with members of the Board.

- b. Approval of Purchase of a Pentium, 17" monitor, etc., for Records & Information Management, C#98331, for \$1,485.21 from the Microcomputer Fund

Eagan noted that he had approved the request, as it was emergency in nature.

MOTION: Hudkins moved and Campbell seconded to ratify approval of the purchase. On call Hudkins, Campbell, Heier, Workman and Steinman voted aye. Motion carried.

- c. Joint Request for Proposals with Lincoln Electric Systems (LES) and the City of Lincoln for Benefits Consultant

Eagan reported that he had met with representatives of Lincoln Electric Systems (LES), City of Lincoln, Personnel Department and the County Attorney's office to discuss a joint Request for Proposals (RFP) for a consultant to review benefits and the possibility of combining plans.

Board consensus to authorize the group to proceed with development of a joint RFP for a benefits consultant.

- d. Land Use Committee

Heier suggested that formation of a Land Use Committee be delayed until the County Board has developed a set of guidelines for the committee.

Campbell suggested the Board schedule a separate morning planning session, when all five Commissioners can be in attendance.

Brief discussion took place regarding request from the Commons that the Planning Department prepare a subarea plan for Stevens Creek.

- e. Transportation Project Management Oversight Committee

Eagan reported that he had been requested to serve on the Transportation Project Management Oversight Committee, which will review various transportation projects conducted by the Planning Department. He agreed to share relevant information with the Board.

8 DISCUSSION OF BOARD MEMBER MEETINGS

- a. Master Plan Steering Committee - Hudkins

Hudkins reported on plans to raise the floor and desk portion of the dais in the City Council/County Commissioners Hearing Room to improve visibility. He noted that the computer monitors would not be mounted in the desk portion of the dais, as originally planned.

The Board concurred with the plans.

- b. Visitors Promotion Committee - Steinman

No report was given.

- c. Information Services Policy Committee - Steinman

No report given.

- d. Ecological Advisory Committee - Heier

Heier reported the preliminary report on the Wilderness Park Ecosystem is completed, with a tentative inventory list of fauna and birds available.

Heier also reported that members of the Ecological Advisory Committee have expressed disappointment with the mediation process.

- e. Lincoln Partnership for Economic Development - Steinman

No report was given.

- f. Emergency Services Executive Committee - Hudkins

Hudkins reported that an agreement was reached to proceed with development of an interlocal agreement with the City of Lincoln for Emergency Services. Julie Righter, 911 Emergency Center Director, and Sharon Codr, 911 Operations Training Coordinator, were named as backups for Police Captain Doug Ahlberg, Interim Emergency Services Director.

Hudkins noted that the Lincoln Police Department is urging the County to make a decision with regards to Ahlberg's employment.

Eagan noted that if Emergency Services remains a County agency, as recommended, a replacement director will need to be hired.

MOTION: Hudkins moved and Heier seconded to direct Kerry Eagan, Chief Administrative Officer, to open a personnel search for an Emergency Services Director. On call Hudkins, Heier, Workman, Campbell and Steinman voted aye. Motion carried.

Further discussion of Item 2b. (Nebraska Crime Commission Grants)

Kit Boesch, Human Services Director, appeared to provide additional information with regards to the Expediter Services Plan (Title II Formula Grants) (Exhibit E). She noted that 121 youth will be served under the plan for \$243,720 (\$78,160 in grant funds, \$165,560 County match), compared to a cost of \$526,350 for 30 days of detention for the same number of youth in the Attention Center.

Campbell noted that other detention alternative programs and proposals, such as the Restorative Justice Proposal, a proposal for a pilot program for Cedars Juvenile Diversion Services and the Lincoln-Lancaster Mediation Center to further develop a victim/offender mediation program in Lancaster County, will still need to be reviewed at the monthly meeting of the new Attention Center Team.

13 EMERGENCY ITEMS AND OTHER BUSINESS

The Board requested that all County Board members be provided a brief description of all standing committees, including committee purpose and meeting times.

14 ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk